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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Cynthia D. Davis
10970 Haverford Lane
North Chesterfield, VA 23236
Last four digits of SSN: xxx-xx-8935

Case No. 14-35840
Chapter 13
Trustee: Suzanne E. Wade

**MOTION FOR MORTGAGE LOAN MODIFICATION
BY CHAPTER 13 DEBTOR AFTER CONFIRMATION**

COMES NOW the Debtor, Cynthia D. Davis, by counsel and respectfully makes Motion for Authority to enter into a mortgage loan modification after confirmation pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Rule 6004-4. In support of his motion the Debtor states as follows:

1. Cynthia D. Davis (the “Debtor”) commenced this case on October 30, 2014 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.
1. The Debtor’s Chapter 13 plan has been confirmed.
2. The Debtor owns the real estate situated in Chesterfield, Virginia known as 10970 Haverford Lane, North Chesterfield, VA 23236 (the “Real Property”) by way of Deed. The legal description of the Real Property is as follows:

ALL that certain lot, piece or parcel of land, lying and being in Midlothian Magisterial District, Chesterfield County, Virginia, known and designated as Lot 8, Block E, Section B, Hylton Park, as shown on a certain plat of Section B, Hylton Park made by J.K. Timmons, Civil Engineer and Surveyor, dated July 1, 1964 and recorded August 18, 1964, in the Clerk’s Office of the Circuit Court of Chesterfield County, Virginia, in Plat Book 14, page 16, reference to which plat is hereby made for a more particular description of the property herein conveyed.

3. The Debtor has been approved for a loan modification with Wells Fargo Home Mortgage.
4. Upon information and belief, the Real Property is encumbered by a lien in favor of Wells Fargo Home Mortgage, and the present unpaid principal balance according to the offered modification agreement is approximately \$141,688.10.
5. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Before Modification	5/23/2015	\$119,460.78	6.5%	\$869.18	7/1/2034
After Modification	5/23/2015	\$141,688.10	3.75%	\$656.18	7/1/2045

The modification results in a lower monthly payment, the debtor does not intend to increase the amount of her plan payment.

6. Debtor further requests that the Court waive application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter in order to facilitate the efficient closing on the loan modification of the Real Property.

WHEREFORE, the Debtor prays that this Court enter an Order:

1. That approves the loan modification of the Real Property with Wells Fargo Home Mortgage;
2. That waives the application of Federal Rule of Bankruptcy Procedure 6004(h) in the instant matter;
3. That releases the Trustee from paying any further arrears claim to Wells Fargo Home Mortgage; and
4. For such other and further relief as the Court deems just and proper.

Respectfully submitted:
Cynthia D. Davis

By: /s/ Pia J. North
Pia J. North, Esq., #29672
Attorney for Debtor
North Law
5913 Harbour Park Drive
Midlothian, VA 23112
Phone: (804) 739-3700
Fax: (804) 739-2550

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
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In re: Cynthia D. Davis
10970 Haverford Lane
North Chesterfield, VA 23236
Last four digits of SSN: xxx-xx-8935

Case No. 14-35840
Chapter 13
Trustee: Suzanne E. Wade

NOTICE OF MOTION

Pia J. North, attorney for **Cynthia D. Davis** has filed a Motion for Mortgage Loan Modification after Confirmation pursuant with the Court. The loan modification will include the terms below or more favorable to the Debtor:

	Effective Date	Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Before Modification	5/23/2015	\$119,460.78	6.5%	\$869.18	7/1/2034
After Modification	5/23/2015	\$141,688.10	3.75%	\$656.18	7/1/2045

The modification results in a lower monthly payment, the debtor does not intend to increase the amount of her plan payment.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before 21 days from August 11, 2015, you or your attorney must:



File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 E. Broad Street, Suite 4000
Richmond, VA 23219-3515

You must also mail a copy to:

Pia J. North, Esquire
5913 Harbour Park Drive
Midlothian, VA 23112

Office of the U.S. Trustee
701 East Broad Street, Suite 4304
Richmond, VA 23219-3515

Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780



Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**



Attend the hearing on the motion (or objection) scheduled to be held on September 2, 2015 at 12:00 pm. at United States Bankruptcy Court, 701 E. Broad Street, Suite 5000, Richmond, VA 23219-3515.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: August 11, 2015

/s/Pia J. North

Pia J. North
5913 Harbour Park Drive
Midlothian, VA 23112
(804) 739-3700

Certificate of Service

I hereby certify that I have on August 11, 2015, transmitted a true copy of the foregoing Notice and Motion for Mortgage Loan Modification after Confirmation electronically through the Court's CM/ECF system or by first class mail, postage pre-paid to: the Debtor; The Chapter 13 trustee; the United States trustee; all parties having a lien against the property; and any creditor who has requested to receive all notices in the case if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1(d)(3), and to all creditors and parties in interest on the mailing matrix maintained by the clerk of court, a copy of which is attached.

/s/Pia J. North

Pia J. North for Cynthia D. Davis

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Cynthia D. Davis
10970 Haverford Lane
North Chesterfield, VA 23236
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Case No. 14-35840
Chapter 13
Trustee: Suzanne E. Wade

Summary of the Proposed Loan Modification

	Effective Date	Principal Balance	Interest Rate	Monthly P&I Payment	Maturity Date of Loan
Before Modification	5/23/2015	\$119,460.78	6.5%	\$869.18	7/1/2034
After Modification	5/23/2015	\$141,688.10	3.75%	\$656.18	7/1/2045

☐

1. The modified loan includes future payment changes or balloon payments. The terms of any such future payment changes or balloon payments are:

☐

2. The modification results in a higher monthly payment

☒

3. The modification results in a lower monthly payment. Choose one of the following:

☐

- a. The amount of future plan payments will be increased

☒

- b. The amount of future plan payments will not be increased. An amended/modified plan will be filed to reflect the current budget and expenses.

Label Matrix for local noticing
0422-3
Case 14-35840-KRH
Eastern District of Virginia
Richmond
Tue Aug 11 11:31:28 EDT 2015

WELLS FARGO BANK, N.A.
BWW Law Group, LLC
8100 Three Chopt Rd., Suite 240
Richmond, VA 23229-4833

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

ANTIO, LLC
C O WEINSTEIN, PINSON, AND RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

American General Financial/Springleaf Fi
Springleaf Financial/Attn: Bankruptcy De
Po Box 3251
Evansville, IN 47731-3251

Anderson Financial Services LLC Loan Max
3440 Preston Ridge Rd, Ste 500
Alpharetta, GA 30005-3823

Asset Acceptance
Po Box 1630
Warren, MI 48090-1630

CJW Medical Center
P.O. Box 13620
Richmond, VA 23225-8620

Calvary Investment
7 Skyline Drive
Hawthorne, NY 10532-2156

Calvary Portfolio Services
500 Summit Lake Drive
Valhalla, NY 10595-2322

Capio Partners Llc
2222 Texoma Pkwy Ste 150
Sherman, TX 75090-2481

Capital One
Po Box 30253
Salt Lake City, UT 84130-0253

Cashnet USA
200 West Jackson, Suite 1400
Chicago, IL 60606-6929

Cavalry SPV I, LLC
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595-1340

Ccb/Hsn
Po Box 182120
Columbus, OH 43218-2120

Cerastes, LLC
2001 Western Ave
Ste 430
Seattle, WA 98121-3132

Certegy
P.O. Box 30046
Tampa, FL 33630-3046

Citi
Po Box 6241
Sioux Falls, SD 57117-6241

Cjw Medical Center
Resurgent Capital Services
PO Box 1927
Greenville, SC 29602-1927

Comcast
PO BOX 3002
Southeastern, PA 19398-3002

Comenity Bank/HSN
Attn: Bankruptcy
Po Box 183686
Columbus, OH 43218

Comenity Bank/HSN
Po Box 182120
Columbus, OH 43218-2120

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

(p)DELL FINANCIAL SERVICES
P O BOX 81577
AUSTIN TX 78708-1577

Eastern Account System
75 Glen Rd Ste 110
Sandy Hook, CT 06482-1175

Enterprise Rent A Car
9400 Midlothian Turnpike
Richmond, VA 23235-4949

Fed Loan Servicing
Po Box 60610
Harrisburg, PA 17106-0610

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-4868

First Premier Bank
c o Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-7999

(p)FOCUSED RECOVERY SOLUTIONS
9701 METROPOLITAN COURT
STE B
RICHMOND VA 23236-3690

GE/CRB/Amazon
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076-9104

GE/CRB/Amazon
Po Box 965015
Orlando, FL 32896-5015

IC System
Attn: Bankruptcy
Po Box 64378
St. Paul, MN 55164-0378

Internal Revenue Service
Insolvency Unit
Post Office Box 7346
Philadelphia, PA 19101-7346

Jefferson Capital Sys
c/o J A Cambece Law
8 Bourbon Street
Peabody, MA 01960-7481

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Johnston Willis Medical
P.O. Box 13620
Richmond, VA 23225-8620

Loan Max
6900 Midlothian Turnpike
Richmond, VA 23225-5635

Loan Max BKY
3440 Preston Ridge Rd #500
Alpharetta, GA 30005-3823

Midland Credit Management, Inc.
as agent for Asset Acceptance LLC
PO Box 2036
Warren, MI 48090-2036

National Credit System
3750 Naturally Fresh Blv
Atlanta, GA 30349-2964

National PDL
515 G SE
Miami, OK 74354-8224

Nco Fin/38
2360 Campbell Crk Ste 50
Richardson, TX 75082-4452

North & Associates, P.C.
5913 Harbour Park Drive
Midlothian, VA 23112-2163

Patient First
P.O. Box 758941
Baltimore, MD 21275-8941

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for
Comenity Capital Bank
PO Box 788
Kirkland, WA 98083-0788

Receivable Management
7206 Hull Street Rd Ste
North Chesterfield, VA 23235-5826

Sca Credit Services
1502 Williamson Ro
Roanoke, VA 24012-5100

Sca Credit Services
Attn: Bankruptcy
Po Box 824584
Philadelphia, PA 19182-4584

Sovereign Advance Loan
aka Makes Cents, Inc.
P.O. Box 10
Parshall, ND 58770-0010

Springleaf Financial
Po Box 267
Hopewell, VA 23860-0267

(p)SPRINGLEAF FINANCIAL SERVICES
P O BOX 3251
EVANSVILLE IN 47731-3251

The Outsource Group
3 Cityplace Dr
Saint Louis, MO 63141-7089

Tucker Psychiatric Clinic
1000 Boulders Pkwy
Suite 202
Richmond, VA 23225-5515

U. S. Attorney
600 E. Main St., 18th Floor
Richmond, Va 23219-2430

U.S. Department of Education
C/O FedLoan Servicing
P.O. Box 69184
Harrisburg, PA 17106-9184

Us Dept Of Education
Po Box 5609
Greenville, TX 75403-5609

Valley Finance, Inc.
420 Folsom Road, Suite C
Roseville, CA 95678-2767

Verizon
500 Technology Dr Ste 30
Weldon Spring, MO 63304-2225

Virginia Emergency Physicians
P. O. Box 17694
Baltimore, MD 21297-1694

Waterside at Ironbridge
3750 Naturally Fresh Blv
Atlanta, GA 30349-2964

Wawa Stores
260 W. Baltimore Pike
Media, PA 19063-5620

Webbank/Dell Financial
1 Dell Way
Round Rock, TX 78682-7000

Webbnk/Fingerhut
6250 Ridgewood Roa
Saint Cloud, MN 56303-0820

Wells Fargo
Post Office Box 10347
Des Moines, IA 50306-0347

Wells Fargo Auto Finance
Po Box 1697
Winterville, NC 28590-1697

Wells Fargo Bank
PO Box 5058 MAC P6053-021
Portland, OR 97208-5058

Wells Fargo Bank
PO Box 63491 MAC A0143-042
San Francisco, CA 94163-0001

Wells Fargo Bank, N.A.
Attn: Bankruptcy Department
3476 Stateview Blvd., MAC #D3347-01
Fort Mill, SC 29715-7200

Wells Fargo Bank, N.A.
P.O. Box 19657
Irvine, CA 92623-9657

(p)WELLS FARGO BANK NA
WELLS FARGO HOME MORTGAGE AMERICAS SERVICING
ATTN BANKRUPTCY DEPT MAC X7801-014
3476 STATEVIEW BLVD
FORT MILL SC 29715-7203

West River Cash, LLC
P.O. Box 30
Hays, MT 59527-0030

Wfs Financial/Wachovia Dealer Srvs
Po Box 3569
Rancho Cucamonga, CA 91729-3569

Cynthia D. Davis
10970 Haverford Lane
North Chesterfield, VA 23236-3012

Pia J. North
North Law
5913 Harbour Park Drive
Midlothian, VA 23112-2163

Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Dell Financial Services
Attn: Vice President
One Dell Way
Round Rock, TX 78682

Focus Recovery Solutions
9701 Metropolitan
Richmond, VA 23236

(d)Focus Recovery Solutions
Attn: Bankruptcy
9701 Metropolitan Court Ste B
Richmond, VA 23236

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Portfolio Recovery
120 Corporate Blvd Ste 1
Norfolk, VA 23502

(d)Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

Springleaf Financial S
601 Nw 2nd St
Evansville, IN 47708

(d)Springleaf Financial Services
PO Box 3251
Evansville, IN 47731

Wells Fargo Home Mortgage
8480 Stagecoach Cir
Frederick, MD 21701

End of Label Matrix

Mailable recipients	76
Bypassed recipients	0
Total	76